

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 1737 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

CHANDRASINH JASWANTSINH RATHOD

Versus

UDESINH CHHATRASINH BIN KESHARISINH MATARIA

Appearance:

MR KV SHELAT for Petitioners

MR DC DAVE for Respondent No. 1, 2, 3

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 18/02/2000

ORAL JUDGEMENT

With the consensus of the learned counsel for the parties and having regard to the peculiar facts and circumstances of the case, the interest of justice will be served in case this revision application is disposed of in terms that the respondents - defendants shall file

an undertaking before the trial court within a period of four weeks from the date of this order to the effect that in the event of the suit of the petitioners being decreed in favour of the petitioners, the respondents defendants will demolish the construction put upon the suit land without claiming any equity. Learned trial court shall dispose of the civil suit within a period of one year from the date of receipt of writ of this order. It is expected of both the parties to give their cooperation to the trial court to make it convenient to comply with this order. The revision application and Rule stand disposed of accordingly with no order as to costs.

zgs/-